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Riet, J.T.J. van de

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Revenge of the Schmitt: Star Wars and Parliamentary Democracy

[[Joris van de Riet](#) is a PhD candidate in jurisprudence at Leiden Law School. He holds LLM degrees in Public International Law and in Jurisprudence and Philosophy of Law from Leiden University. An earlier version of this post was presented at Gikii in Utrecht, 8 September 2023.]

When *Star Wars: Episode I – The Phantom Menace* was released in 1999, viewers were often somewhat disappointed to find out that the story of the epic saga that is *Star Wars* was all caused by ... a trade dispute. Although trade negotiations are undoubtedly some of the most interesting elements for (international) lawyers, the Prequel Trilogy's comparatively heavy emphasis on "talking" and politics was often seen as a negative aspect.

Despite their initially lukewarm reception, the *Star Wars* Prequels have enjoyed a renewed appreciation, both among the public at large ([notably through memes](#)) but also among legal scholars. Cass Sunstein's [The World According to Star Wars](#) analysed the saga's examples of rebellion, democratic decay, and judicial law-making, while Conor Casey and David Kenny [have explored](#) the curious paradox of the weak executive exemplified by the Galactic Republic and its meaning for democracy.

The Politics of *Star Wars*

Although [some on the Internet would have us believe](#) that *Star Wars* was completely apolitical until a woman played the lead role in *The Force Awakens*, the series has had implicit and explicit political messages since its inception (themes recently explored in Kempshall's [The History and Politics of Star Wars](#)). In a 1981 interview *Star Wars* creator [George Lucas stated](#) that Emperor Palpatine "was a politician. Richard M. Nixon was his name. He subverted the senate and finally took over and became an imperial guy and he was really evil." In [a 2005 interview](#) he explicitly drew a historical parallel between Palpatine and Hitler:

It's the same thing with Germany and Hitler. You sort of see these recurring themes where a democracy turns itself into a dictatorship, and it always seems to happen kind of in the same way, with the same kinds of issues, and threats from the outside, needing more control. A democratic body, a senate, not being able to function properly because everybody's squabbling, there's corruption.

As [the opening crawl](#) of *The Phantom Menace* tells us, "Turmoil has engulfed the Galactic Republic". This turmoil is mainly caused by the Trade Federation, a huge trading conglomerate which has blockaded the small planet of Naboo over a taxation dispute. When diplomacy fails [after distinctly short negotiations](#), the Trade Federation invades and occupies Naboo, prompting Queen Amidala to flee to the galactic capital planet of Coruscant, where she attempts to gather political support for taking back her home planet.

It is here that the viewer is introduced to the inner workings of galactic politics – and it's not pretty. As Senator Palpatine remarks, "[the Senate is full of greedy, squabbling delegates. There is no interest in the common good.](#)" [Casey and Kenny have pointed out](#) that Palpatine is "a deeply unreliable source": he is, as his *alter ego* Darth Sidious, the evil genius behind most of the political machinations in the galaxy and has orchestrated the invasion of Naboo. That being said, it appears that Palpatine's characterizations of the Republic are largely accurate: most others seem to agree that "[there is no civility, only politics](#)" and Palpatine's claim that the Senate is "[bogged down in procedures](#)" is repeatedly confirmed whenever we see it at work.

This is shown particularly [when the Senate debates the invasion of Naboo](#): the debate quickly descends into procedural details and the chancellor's only solution is to appoint a committee of investigation, thus further delaying any possible action. This prompts Queen Amidala to call for a vote of no confidence in

the chancellor, resulting in [“a surprise, to be sure, but a welcome one”](#): Senator Palpatine (who orchestrated the entire crisis) is elected as chancellor, setting the scene for his increase in power which culminates in [his self-proclamation as Emperor in *Revenge of the Sith*](#).

I Don’t Think the System Works

The best summary of the two views of democracy explored here comes from *Attack of the Clones*. [In one scene of that movie](#), Anakin Skywalker (later to become Darth Vader) is discussing politics with his love interest Senator Padmé Amidala.

Anakin: I don’t think the system works.

Padmé: How would you have it work?

Anakin: We need a system where the politicians sit down and discuss the problem, agree what’s in the best interest of all the people, and then do it.

Padmé: That’s exactly what we do. The trouble is that people don’t always agree.

Anakin: Well then they should be made to.

Padmé: By whom? Who’s going to make them?

Anakin: I don’t know. Someone.

Padmé: You?

Anakin: Of course not me!

Padmé: But someone?

Anakin: Someone wise.

Padmé: Sounds an awful lot like a dictatorship to me.

Anakin: Well, if it works.

The dialogue is a wonderful example of dramatic irony: as the viewer knows (or at least suspects), Anakin, who prefers a dictatorship over the struggling democracy of the Galactic Republic (*almost* as big a red flag as [his peculiar dislike of sand](#)), will later help to bring Palpatine to power and create the Galactic Empire. This exchange of views also represents, albeit in a simplified way, two philosophical perspectives on democracy: Anakin agrees with Schmitt’s critique of democracy and preference for a dictatorship, while Padmé, much like Lefort, sees the “talking” as the very essence of democracy.

Carl Schmitt on the Weakness of Parliamentary Democracy

Carl Schmitt (1888-1985) was a German legal and political theorist known for his critique of parliamentary democracy in the Weimar Republic, his defence of dictatorship, and the concept of the “state of exception” as defining the sovereign. He was also, at least for some time, a prominent member of the NSDAP who vigorously defended Hitler’s seizure of power and the Night of the Long Knives. This background as a Nazi whose intellectual project was explicitly anti-democratic (although he did not quite see himself as anti-democratic) has made him a controversial thinker to rely on, something that still [sparks debate](#) among (international) lawyers. Given the fact that the fall of the Republic and the rise of the Empire in *Star Wars* are explicitly based on those in 1930s Germany, however, Schmitt seems a very suitable theorist to explain the rise of galactic authoritarianism.

In *The Crisis of Modern Parliamentary Democracy* [he posits that](#) “[a]ll specifically parliamentary arrangements and norms receive their meaning first through discussion and openness” and “[p]arliament is (...) only ‘true’ as long as public discussion is taken seriously and implemented.”

Discussion means an exchange of opinion that is governed by the purpose of persuading one’s opponent through argument of the truth or justice of something, or allowing oneself to be persuaded of something as true and just. (...) The characteristic of all representative constitutions (...) is that laws arise out of a conflict of opinions (not out of a struggle of interests). To discussion belong shared convictions as premises, the willingness to be persuaded independence of party ties, freedom from selfish interests.

Parliamentarism thus is a form of “government by discussion”: only if participants are open to change their minds based on a rational exchange of arguments can a parliament actually function. It is evident to Schmitt that that is no longer the case in the Weimar Republic, and that power has moved away from the parliamentary floor: “today parliament itself appears a gigantic antechamber in front of the bureaux or committees of invisible rulers.” [As he puts it in *Constitutional Theory*](#): “parliament is no longer the place where the political decision occurs. The essential decisions are reached outside of parliament.” This is due to a variety of causes, but one of the main culprits is the rise of political parties and factions with corresponding economic and social interests:

Many norms of contemporary parliamentary law (...) function as a result like a superfluous decoration, useless and even embarrassing, as though someone had painted the radiator of a modern central heating system with red flames in order to give the appearance of a blazing fire. The parties (...) do not face each other today discussing opinions, but as social or economic power-groups calculating their mutual interests and opportunities for power, and they actually agree compromises and coalitions on this basis.

It is not difficult to see how Schmitt’s critique of Weimar-era parliamentarism relates to the politics of *Star Wars*. Faced with an immediate crisis the Senate’s only answer is to *talk*. Most participants are not interested in reaching a solution, and instead only represent their own interests. Political conflicts are mostly settled in back rooms and between various parties and interest groups; most political power is not exercised by the elected Chancellor, but by bureaucrats: “the true rulers of the Republic – and on the payroll of the Trade Federation, might I add”, as Palpatine remarks. The Senate, nominally a forum for parliamentary discussion, has been reduced to a place where various groups simply present their views, or those of their paymasters: corruption is rampant in the declining Republic.

Those who cling to the remnants of the parliamentary ideal, notably Chancellor Finis Valorum – whose name literally translates to “the end of values” – can only resort to pointless proceduralism. When confronted with the invasion of Naboo, Valorum asks of Queen Amidala will “allow a commission to explore the validity of [her] accusations”. The scene almost appears to be a reference to [Schmitt’s remark](#) that liberalism is ultimately “to answer the question ‘Christ or Barabbas?’ with a proposal to adjourn or appoint a committee of investigation.” Chancellor Valorum is thus the archetypical Schmittian liberal, who even when immediate action is required postpones any decision and allows the matter to be consumed by endless discussion.

Claude Lefort: Democracy as Disincorporation

Lefort’s philosophical project is more or less the opposite of Schmitt’s: to give a positive defence of democracy – not merely as “the least bad system”. Lamenting his fellow socialists’ lack of interest in human rights violations by communists, he notes that “[t]hey are unable to discern freedom in democracy, because democracy is defined as bourgeois. They are unable to discern servitude in totalitarianism.” A critique is needed that distinguishes democracy from totalitarianism and explains why democracy has [the metaphorical high ground](#).

Central to Lefort’s idea of democracy is what it is *not*: the *ancien régime* that preceded it. There “power was embodied in the person of the prince”, who was not necessarily despotic but acted “a mediator between mortals and gods, or (...) between mortals and the transcendental agencies represented by a sovereign Justice and a sovereign Reason.” This “incorporation” in the person of the ruler was perhaps best summarized by Louis XIV’s apocryphal remark that “l’État, c’est moi”. That incorporation was ended by the French Revolution: first politically by the abolition of the monarchy in 1792 and then very physically by the execution of Louis XVI a year later.

Democracy is the very opposite of the *ancien régime* in that power is *disincorporated*: its “revolutionary and unprecedented feature” is that “[t]he locus of power becomes an *empty place*.” Its institutions “prevent governments from appropriating power for their own ends, from incorporating it into themselves. The exercise of power is subject the procedures of periodical redistributions.” To put it

differently: in an absolute monarchy, one can point to a particular person and say “*this* is where power lies”. In a democracy this is impossible; one can see “the mechanisms of the exercise of power” or “the men, the mere mortals, who hold political authority”, but neither of these is the absolute locus of power: it is distributed throughout society and never lies within a single place.

Power no longer being incorporated in a single person, it [“no longer has absolute legitimacy” and is instead characterized by “an incessant quest to legitimate itself”](#). In a democracy, society must “confront the oppositions internal to it, the diversity of interests, opinions, beliefs which beat in its breast; it becomes consecrated to the resolution of its conflicts through the establishment of a political stage onto which division is transposed and made visible.” Political strife is inherent in any democratic system, where it “confers a sort of legitimacy to the conflicts which play out in society and provides for them a symbolic framework which prevents them from degenerating into civil war.”

Padmé exemplifies this Lefortian approach to democracy. Against Anakin’s suggestion that talking just delays reaching a solution, she posits that there is no simple “right” answer and that discussion is the only legitimate path. Palpatine on the other hand tries to “incorporate” power, shown most explicitly when he declares that “I *am* the Senate”, in an almost verbatim reference to “l’État, c’est moi”. The Senate (and democracy at large) is reduced to a mere theatre whose only purpose is to legitimize the Emperor’s exercise of power, not to resolve any sort of real political conflict. Power is no longer distributed throughout society but concentrated within one single person, the Emperor, whose [“Empire that will stand ten thousand years”](#) takes on increasingly totalitarian shapes where all is centred around the Emperor – the “egocrat”, as Lefort calls such a figure in whom has become *re-incorporated* in the creation of a totalitarian state.

Conclusion

Although its understanding of real-life politics and history is sometimes limited, *Star Wars* very clearly has a political message: perhaps more so than its makers originally realized. This post has explored some of that message based on two very different perspectives on democracy: that of Carl Schmitt, a radical anti-democrat whose critique of parliamentarism points to weaknesses in the systems of both the Weimar Republic and the Galactic Republic; and that of Claude Lefort, who offers a positive defence of democracy by seeing it as the “disincorporation” of power and the institutionalization of political conflict.

These perspectives can help us understand the political systems and struggles of both “a long time ago in a galaxy far, far away” and – perhaps even more importantly – of our own time, pointing to their weaknesses and offering a defence of our [“allegiance to the Republic, to democracy”](#) despite its weakness. They also, incidentally, show what all the “politicking” in the Prequel Trilogy was good for – indeed, why that may be one of its strongest points.